

The Court's deadline has passed, and the State of Montana has neither engaged in any jurisdictional discovery of BBA nor filed any supplemental memorandum with the Court. As explained in the accompanying Memorandum, the undisputed facts establish that BBA did not manufacture any of the drugs identified in the MTAC and does not have sufficient contacts with the State of Montana to allow this Court to exercise personal jurisdiction over it.

Therefore, for the reasons stated in the accompanying memorandum, B. Braun of America Inc. respectfully requests that the Court dismiss all claims brought against it by the State of Montana.

Dated: September 10, 2004

Respectfully submitted,

s/ Colin R. Kass

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing B. Braun of America Inc.'s Renewed Motion to Dismiss the State of Montana's Second Amended Complaint has been served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties on this 10th day of September, 2004.

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